IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 26TH MARCH 2007 / 5TH CHAITHRA 1929

Bail Appl..No. 1769 of 2007

CRIME NO.210/2006 OF VILAPPILSALA POLICE STATION

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PETITIONER

AJI @ KUNJAN, S/O.VELAYUDAN,
CHARUVILLA PUTHAN VEDU,
ANIL NAGAR, NEDUNCAUD WARD, MANACAUD VILLAGE,
THIRUVANANTHAPURAM.

BY ADV. SRI.T.K.SHAIJ RAJ

RESPONDENTS:

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1. CIRCLE INSPECTOR OF POLICE,
ARYANADU POLICE STATION IN CRIME NO.210 OF 2006,
THIRUVANANTHAPURAM DISTRICT.

2. SUB INSPECTOR OF POLICE,
VILAPPILSALA POLICE STATION IN
CRIME NO.210 OF 2006, THIRUVANANTHAPURAM.

3. STATE OF KERALA, REP. BY PUBLIC
PROSECUTOR, HIGH COURT OF KERALA.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 26/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

Bail Application No. 1769/2007

Dated this 26th day of March, 2007

O R D E R

The petitioner, who is the fifth accused in Crime No.210/2006 of Vilappilsala Police Station for offences punishable under Sections 8(2) and 55(a) of the Abkari Act for allegedly having been found in possession of 8331 litres of spirit on 22.1.2007 and who was arrested on the same day, seeks his enlargement on bail.

2. Even though the learned Public Prosecutor opposed the application, he fairly conceded that the final report has not been filed in this case even after 60 days of judicial custody of the petitioner. If so, the petitioner is entitled to bail as of right.

3. Accordingly, the petitioner is directed to be released on bail on his executing a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M, Kattakkada, and subject to the following conditions:

(a). The petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

(b). The petitioner shall make himself available for interrogation as and when required by the police till the filing of the final report.

(c). The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

(d). The petitioner shall not commit any offence while on bail.

4. If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

The application is allowed as above.

V.RAMKUMAR,
JUDGE

mrcs